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Fiftieth session
Agenda item 73

THE RISK OF NUCLEAR PROLIFERATION IN THE MIDDLE EAST

Report of the First Committee

Rapporteur: Mr. Rajab SUKAYRI (Jordan)

I. INTRODUCTION

1. The item entitled "The risk of nuclear proliferation in the Middle East" was included in the provisional agenda of the fiftieth session of the General Assembly in accordance with Assembly resolution 49/78 of 15 December 1994.

2. At its 3rd plenary meeting, on 22 September 1995, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the First Committee.

3. At its 2nd meeting, on 12 October 1995, the First Committee decided to hold a general debate on all disarmament and international security items allocated to it, namely, items 57 to 78, 80 and 81. The deliberations on those items took place at the 3rd to 11th meetings, from 16 to 20 and on 25 and 26 October 1995 (see A/C.1/50/PV.3-11). Structured discussions of specific subjects within the adopted thematic approach were held from 30 October to 3 November. Consideration of draft resolutions on the items took place at the 13th to 17th meetings, from 6 to 9 November (see A/C.1/50/PV.13-17). Action on the draft resolutions was taken at the 18th to 29th meetings, on 10, 13 to 17, 20 and 21 November (see A/C.1/50/PV.18-29).

4. In connection with item 73, the First Committee had before it the report of the Secretary-General on the risk of nuclear proliferation in the Middle East (A/50/513) and a letter dated 2 February 1995 from the Permanent Representative of Morocco to the United Nations addressed to the Secretary-General (A/50/85-S/1995/152).

II. CONSIDERATION OF DRAFT RESOLUTION A/C.1/50/L.19 AND Rev.1

5. At the 16th meeting, on 8 November, the representative of Egypt, in his capacity as Chairman of the Group of Arab States for the month of November 1995, introduced a draft resolution entitled "The risk of nuclear proliferation in the Middle East" (A/C.1/50/L.19), which was later also sponsored by Afghanistan.

6. On 14 November, Afghanistan, Egypt, in its capacity as Chairman of the Group of Arab States for the month of November 1995, and Malaysia submitted a revised draft resolution (A/C.1/50/L.19/Rev.1), which contained the following changes:

(a) Operative paragraph 2, which had read:

"2. Expresses deep concern at the continued existence in the Middle East of unsafeguarded nuclear facilities;"

was deleted;

(b) Operative paragraph 3 was renumbered operative paragraph 2, and the words "the only State in the Middle East with significant unsafeguarded nuclear capabilities", before the words "and all other States" were deleted;

(c) The words "all their nuclear facilities" in operative paragraph 3 were replaced by the words "all unsafeguarded nuclear facilities".

7. At its 26th meeting, on 17 November, the Committee adopted the sixth preambular paragraph of draft resolution A/C.1/50/L.19/Rev.1 by a recorded vote of 109 to 3, with 27 abstentions. The voting was as follows: 1/

In favour: Afghanistan, Algeria, Andorra, Antigua and Barbuda, Argentina, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Bhutan, Bosnia and Herzegovina, Botswana, Brunei Darussalam, Bulgaria, Burkina Faso, Cameroon, Canada, Chad, Chile, China, Colombia, Croatia, Cyprus, Czech Republic, Democratic People's Republic of Korea, Denmark, Djibouti, Ecuador, Egypt, Eritrea, Estonia, Ethiopia, Fiji, Finland, France, Gabon, Germany, Greece, Guinea, Haiti, Honduras, Hungary, Iceland, Indonesia, Iran (Islamic Republic of), Ireland, Italy, Japan, Jordan, Kazakstan, Kuwait, Kyrgyzstan, Lao People's Democratic Republic, Latvia, Lebanon, Libyan Arab Jamahiriya, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Mali, Malta, Mauritania, Monaco, Mongolia, Morocco, Netherlands, New Zealand, Norway, Oman, Papua New Guinea, Philippines, Poland, Portugal, Qatar, Republic of Korea, Republic of Moldova, Romania, Russian Federation, Saint Lucia, Samoa, Saudi Arabia, Senegal,

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1/ Subsequently, the delegation of Guatemala stated that it had intended to abstain, and the delegation of Thailand, that it had intended to vote in favour of the sixth preambular paragraph.

Slovakia, Slovenia, Solomon Islands, South Africa, Spain, Sri Lanka, Sudan, Sweden, Syrian Arab Republic, the former Yugoslav Republic of Macedonia, Togo, Tunisia, Turkey, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, Venezuela, Viet Nam, Yemen.

Against: Guatemala, India, Israel.

Abstaining: Bolivia, Brazil, Cambodia, Côte d'Ivoire, Cuba, El Salvador, Georgia, Guyana, Jamaica, Kenya, Myanmar, Nicaragua, Nigeria, Pakistan, Panama, Paraguay, Peru, Rwanda, Singapore, Suriname, Swaziland, Tajikistan, Thailand, United States of America, Uruguay, Uzbekistan, Zambia.

8. At the same meeting, the Committee adopted draft resolution A/C.1/50/L.19/Rev.1 as a whole by a recorded vote of 51 to 4, with 88 abstentions (see para. 9). The voting was as follows: 2/

In favour: Afghanistan, Algeria, Australia, Azerbaijan, Bahrain, Bangladesh, Botswana, Brunei Darussalam, Burkina Faso, Chad, China, Colombia, Cuba, Democratic People's Republic of Korea, Djibouti, Egypt, Fiji, Guinea, Indonesia, Iran (Islamic Republic of), Jordan, Kuwait, Lebanon, Libyan Arab Jamahiriya, Malawi, Malaysia, Maldives, Mali, Mauritania, Morocco, New Zealand, Niger, Oman, Pakistan, Papua New Guinea, Philippines, Qatar, Republic of Korea, Samoa, Saudi Arabia, Senegal, Solomon Islands, Sri Lanka, Sudan, Syrian Arab Republic, Thailand, Togo, Tunisia, United Arab Emirates, Viet Nam, Yemen.

Against: Guatemala, Israel, Lesotho, United States of America.

Abstaining: Albania, Andorra, Antigua and Barbuda, Argentina, Armenia, Austria, Bahamas, Barbados, Belarus, Belgium, Bhutan, Bolivia, Bosnia and Herzegovina, Brazil, Bulgaria, Cambodia, Cameroon, Canada, Chile, Côte d'Ivoire, Croatia, Cyprus, Czech Republic, Denmark, Ecuador, El Salvador, Eritrea, Estonia, Ethiopia, Finland, France, Gabon, Georgia, Germany, Ghana, Greece, Guyana, Haiti, Hungary, Iceland, India, Ireland, Italy, Jamaica, Japan, Kazakstan, Kenya, Kyrgyzstan, Latvia, Liechtenstein, Lithuania, Luxembourg, Malta, Mauritius, Monaco, Mongolia, Myanmar, Netherlands, Nicaragua, Nigeria, Norway, Panama, Paraguay, Peru, Poland, Portugal, Republic of Moldova, Romania, Russian Federation, Rwanda, Saint Lucia, Singapore, Slovakia, Slovenia, South Africa, Spain, Suriname, Swaziland, Sweden, Tajikistan, the former Yugoslav Republic of Macedonia, Turkey, Ukraine, United Kingdom of Great Britain and Northern Ireland, Uruguay, Uzbekistan, Venezuela, Zambia.

2/ Subsequently, the delegations of the Gambia, Guatemala and Lesotho indicated that they had intended to abstain in the vote on the draft resolution.

III. RECOMMENDATION OF THE FIRST COMMITTEE

9. The First Committee recommends to the General Assembly the adoption of the following draft resolution:

The risk of nuclear proliferation in the Middle East

The General Assembly,

Bearing in mind the relevant United Nations resolutions,

Taking note of the relevant resolutions adopted by the General Conference at the International Atomic Energy Agency, the latest of which is GC(39)/RES/24, adopted in September 1995, and noting the danger of nuclear proliferation, especially in areas of tension,

Cognizant that the proliferation of nuclear weapons in the region of the Middle East would pose a serious threat to international peace and security,

Aware of the importance that all nuclear facilities in the region be placed under full-scope safeguards of the International Atomic Energy Agency,

Recalling the resolution on the Middle East adopted by the Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons on 11 May 1995, 3/ in which the Conference noted with concern the continued existence in the Middle East of unsafeguarded nuclear facilities, reaffirmed the importance of the early realization of universal adherence to the Treaty and called upon all States in the Middle East that had not yet done so, without exception, to accede to the Treaty as soon as possible and to place all their nuclear facilities under full-scope International Atomic Energy Agency safeguards,

Recalling further the decision on principles and objectives for nuclear non-proliferation and disarmament adopted by the Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons on 11 May 1995, 4/ in which the Conference urged universal adherence to the Treaty as an urgent priority and called upon all States not yet party to the Treaty to accede to the Treaty at the earliest date, particularly those States that operate unsafeguarded nuclear facilities,

Encouraged by the recent positive developments in the Middle East peace process, which would be further strengthened by States of the region undertaking practical confidence-building measures in order to consolidate the non-proliferation regime,

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3/ NPT/CONF.1995/32 (Part I), annex.

4/ Ibid., decision 2.

1. Welcomes the accession of the United Arab Emirates on 26 September 1995 to the Treaty on the Non-Proliferation of Nuclear Weapons;

2. Calls upon Israel and all other States of the region that are not yet party to the Treaty on the Non-Proliferation of Nuclear Weapons not to develop, produce, test or otherwise acquire nuclear weapons, to renounce possession of nuclear weapons and to accede to the Treaty at the earliest date;

3. Calls upon the States of the region that have not yet done so to place all unsafeguarded nuclear facilities under full-scope International Atomic Energy Agency safeguards as an important confidence-building measure among all States of the region and as a step towards enhancing peace and security;

4. Requests the Secretary-General to report to the General Assembly at its fifty-first session on the implementation of the present resolution;

5. Decides to include in the provisional agenda of its fifty-first session the item entitled "The risk of nuclear proliferation in the Middle East".

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Agenda item 74

CONVENTION ON PROHIBITIONS OR RESTRICTIONS ON THE USE OF CERTAIN CONVENTIONAL WEAPONS WHICH MAY BE DEEMED TO BE EXCESSIVELY INJURIOUS OR TO HAVE INDISCRIMINATE EFFECTS

Report of the First Committee

Rapporteur: Mr. Rajab SUKAYRI (Jordan)

I. INTRODUCTION

1. The item entitled "Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects" was included in the provisional agenda of the fiftieth session of the General Assembly in accordance with Assembly resolution 49/79 of 15 December 1994.

2. At its 3rd plenary meeting, on 22 September 1995, the General Assembly, on the recommendation of the General Committee, decided to include the item in its agenda and to allocate it to the First Committee.

3. At its 2nd meeting, on 12 October 1995, the First Committee decided to hold a general debate on all disarmament and international security items allocated to it, namely, items 57 to 78, 80 and 81. The deliberations on those items took place at the 3rd to 11th meetings, from 16 to 20 and on 25 and 26 October 1995 (see A/C.1/50/PV.3-11). Structured discussions of specific subjects within the adopted thematic approach were held from 30 October to 3 November. Consideration of draft resolutions on the items took place at the 13th to 17th meetings, from 6 to 9 November (see A/C.1/50/PV.13-17). Action on the draft resolutions was taken at the 18th to 29th meetings, on 10, 13 to 17, 20 and 21 November (see A/C.1/50/PV.18-29).

4. In connection with item 74, the First Committee had before it the following documents:

(a) Report of the Secretary-General on the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects (A/50/326);

(b) Letter dated 8 September 1995 from the Permanent Representative of Ecuador to the United Nations addressed to the Secretary-General transmitting the Final Declaration of the Ninth Meeting of Heads of State and Government of the Rio Group, held at Quito on 4 and 5 September 1995 (A/50/425-S/1995/787);

(c) Letter dated 11 October 1995 from the Permanent Representative of Ukraine to the United Nations addressed to the Secretary-General (A/50/562).

II. CONSIDERATION OF DRAFT RESOLUTION A/C.1/50/L.34

5. At the 16th meeting, on 8 November 1995, the representative of Sweden, on behalf of Argentina, Australia, Austria, Belgium, Brazil, Bulgaria, Canada, Croatia, Cyprus, the Czech Republic, Denmark, Ecuador, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Lithuania, Luxembourg, Mongolia, the Netherlands, New Zealand, Nicaragua, Norway, Panama, Paraguay, Poland, Portugal, the Republic of Moldova, Romania, the Russian Federation, Slovakia, Slovenia, South Africa, Spain, Sweden, Tunisia, Ukraine, the United Kingdom of Great Britain and Northern Ireland and the United States of America, introduced a draft resolution entitled "Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects" (A/C.1/50/L.34), which was later also sponsored by Bosnia and Herzegovina, Jordan, The former Yugoslav Republic of Macedonia and Monaco.

6. At the 23rd meeting, on 16 November, the Secretary of the First Committee made a statement on behalf of the Secretary-General on the programme budget implications of the draft resolution (see A/C.1/50/PV.23).

7. Also at its 23rd meeting, on 16 November, the Committee adopted draft resolution A/C.1/50/L.34 without a vote (see para. 8).

III. RECOMMENDATION OF THE FIRST COMMITTEE

8. The First Committee recommends to the General Assembly the adoption of the following draft resolution:

Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects

The General Assembly,

Recalling its resolution 49/79 of 15 December 1994 and previous resolutions referring to the Convention on Prohibitions or Restrictions on the Use of

Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, 1/

Recalling with satisfaction the adoption, on 10 October 1980, of the Convention, together with the Protocol on Non-Detectable Fragments (Protocol I), 1/ the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices (Protocol II) 1/ and the Protocol on Prohibitions or Restrictions on the Use of Incendiary Weapons (Protocol III), 1/ which entered into force on 2 December 1983,

Recalling the commitment by the States that are parties to the Convention and the Protocols annexed thereto to respect the objectives and the provisions thereof,

Reaffirming its conviction that a general and verifiable agreement on prohibitions or restrictions on the use of certain conventional weapons would significantly reduce the suffering of civilians and combatants,

Noting that, in conformity with article 8 of the Convention, conferences may be convened to examine amendments to the Convention or to any of the Protocols thereto, to examine additional protocols concerning other categories of conventional weapons not covered by the existing Protocols or to review the scope and application of the Convention and the Protocols annexed thereto and to examine any proposed amendments or additional protocols,

Noting with satisfaction that the group of governmental experts established to prepare a conference to review the Convention and the Protocols annexed thereto held four meetings and completed its work by submitting a final report,

Welcoming the fact that the Review Conference met at Vienna from 25 September to 13 October 1995, in accordance with article 8, paragraph 3, of the Convention and that, in addition to the States parties, forty other States attended and took an active part in the Conference,

Particularly welcoming the adoption on 13 October 1995 of the Protocol on Blinding Laser Weapons (Protocol IV) annexed to the Convention,

Noting that the Review Conference was not able to complete its work in reviewing the Protocol on Prohibitions or Restrictions on the Use of Mines, Booby Traps and Other Devices (Protocol II), and the decision of the Conference therefore to continue its work,

Recalling the role played by the International Committee of the Red Cross in the elaboration of the Convention and the Protocols annexed thereto,

Noting with satisfaction the convening by the Secretary-General of the International Meeting on Mine Clearance at Geneva from 5 to 7 July 1995, and

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1/ See The United Nations Disarmament Yearbook, vol. 5: 1980 (United Nations publication, Sales No. E.81.IX.4), appendix VII.

that substantial contributions to the Voluntary Fund for Assistance in Mine Clearance were pledged at the Conference,

Welcoming the national measures adopted by Member States relating to the transfer, the production or the reduction of existing stockpiles of anti-personnel land-mines,

Desirous of reinforcing international cooperation in the area of prohibitions or restrictions on the use of certain conventional weapons, in particular for the removal of minefields, mines and booby traps,

Recalling in this respect its resolutions 48/7 of 19 October 1993 and 49/215 of 23 December 1994 on assistance in mine clearance,

1. Registers its satisfaction with the report of the Secretary-General; 2/

2. Welcomes the fact that additional States have ratified or accepted the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, which was opened for signature in New York on 10 April 1981, or have acceded to the Convention;

3. Urgently calls upon all States that have not yet done so to take all measures to become parties, as soon as possible, to the Convention and its Protocols and upon successor States to take appropriate measures so that ultimately access to these instruments will be universal;

4. Calls upon the Secretary-General of the United Nations, in his capacity as depositary of the Convention and the Protocols annexed thereto, to continue to inform it periodically of accessions to the Convention and the Protocols;

5. Takes note of the interim report of the Review Conference of the States Parties to the Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects, held at Vienna from 25 September to 13 October 1995;

6. Commends the Protocol on Blinding Laser Weapons (Protocol IV) to all States, with a view to achieving the widest possible adherence to this instrument at an early date;

7. Calls upon the States parties to intensify their efforts in order to conclude negotiations on a strengthened Protocol II;

8. Takes note of the decision of the Review Conference to continue its work at resumed sessions at Geneva from 15 to 19 January 1996 and from 22 April to 3 May 1996;

2/ A/50/326.

9. Requests the Secretary-General to continue furnishing needed assistance to the Review Conference;

10. Again calls upon the maximum number of States to attend the Review Conference;

11. Decides to include in the provisional agenda of its fifty-first session the item entitled "Convention on Prohibitions or Restrictions on the Use of Certain Conventional Weapons Which May Be Deemed to Be Excessively Injurious or to Have Indiscriminate Effects".